

**UNITED STATES DISTRICT COURT**  
for the

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
*S. McCarthy*

Southern District of Georgia

2009 MAR 13 P 2:58

|   |                            |
|---|----------------------------|
| United States of America                          | )                          |
| v.  | )                          |
| Melvin Christopher Carter                         | ) Case No: CR102-00006-001 |
| Date of Previous Judgment: <u>August 29, 2002</u> | ) USM No: 07115-021        |
| (Use Date of Last Amended Judgment if Applicable) | ) Peter D. Johnson         |
|   | ) Defendant's Attorney     |

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 96 months is reduced to 84 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

|                            |                                 |                            |                                |
|----------------------------|---------------------------------|----------------------------|--------------------------------|
| Previous Offense Level:    | <u>27</u>                       | Amended Offense Level:     | <u>25</u>                      |
| Criminal History Category: | <u>IV</u>                       | Criminal History Category: | <u>IV</u>                      |
| Previous Guideline Range:  | <u>100</u> to <u>125</u> months | Amended Guideline Range:   | <u>84</u> to <u>105</u> months |

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

The Court considered the facts of this case and all relevant factors of 18 U.S.C. § 3553(a), specifically deterrence, punishment, and the need to protect the community, when determining the appropriate sentence reduction in this case.

Except as provided above, all provisions of the judgment dated August 29, 2002, shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 13, 2009

Effective Date: \_\_\_\_\_  
(if different from order date)

*Dudley H. Bowen, Jr.*  
Judge's signature

Dudley H. Bowen, Jr.  
United States District Judge

Printed name and title